



General Assembly

January Session, 2009

Raised Bill No. 6688

LCO No. 5046

05046_____ED_

Referred to Committee on Education

Introduced by:
(ED)

AN ACT CONCERNING EDUCATION GRANTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (3) of subsection (c) of section 10-264l of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective July 1, 2009*):

4 (3) (A) Each interdistrict magnet school operated by a regional
5 educational service center that enrolls less than [fifty-five] sixty per
6 cent of the school's students from a single town, or a regional
7 educational service center that enrolls less than sixty per cent of its
8 students from Hartford pursuant to the 2008 stipulation and order for
9 Milo Sheff, et al. v. William A. O'Neill, et al., shall receive a per pupil
10 grant in the amount of (i) six thousand two hundred fifty dollars for
11 the fiscal year ending June 30, 2006, (ii) six thousand five hundred
12 dollars for the fiscal year ending June 30, 2007, (iii) seven thousand
13 sixty dollars for the fiscal year ending June 30, 2008, (iv) seven
14 thousand six hundred twenty dollars for the fiscal year ending June 30,
15 2009, (v) eight thousand one hundred eighty dollars for the fiscal year
16 ending June 30, 2010, and (vi) eight thousand seven hundred forty-one

17 dollars for the fiscal year ending June 30, 2011.

18 (B) Each interdistrict magnet school operated by a regional
 19 educational service center that enrolls at least [fifty-five] sixty per cent
 20 of the school's students from a single town, or a regional educational
 21 service center that enrolls at least sixty per cent of its students from
 22 Hartford pursuant to the 2008 stipulation and order for Milo Sheff, et
 23 al. v. William A. O'Neill, et al., shall receive a per pupil grant for each
 24 enrolled student who is not a resident of the district that enrolls at least
 25 [fifty-five] sixty per cent of the school's students in the amount of (i) six
 26 thousand sixteen dollars for the fiscal year ending June 30, 2008, (ii) six
 27 thousand seven hundred thirty dollars for the fiscal year ending June
 28 30, 2009, (iii) seven thousand four hundred forty dollars for the fiscal
 29 year ending June 30, 2010, and (iv) eight thousand one hundred fifty-
 30 eight dollars for the fiscal year ending June 30, 2011. The per pupil
 31 grant for each enrolled student who is a resident of the district that
 32 enrolls at least [fifty-five] sixty per cent of the school's students shall be
 33 three thousand dollars.

34 Sec. 2. Subdivision (25) of section 10-262f of the general statutes is
 35 repealed and the following is substituted in lieu thereof (*Effective July*
 36 *1, 2009*):

37 (25) "Total need students" means the sum of (A) the number of
 38 resident students of the town for the school year, [except that for the
 39 fiscal year commencing July 1, 2008, such number shall be reduced by
 40 one-quarter of the number resident students of the town for the school
 41 year enrolled in full-time approved interdistrict magnet school
 42 programs pursuant to section 10-264l,] (B) (i) for any school year
 43 commencing prior to July 1, 1998, one-quarter the number of children
 44 under the temporary family assistance program for the prior fiscal
 45 year, and (ii) for the school years commencing July 1, 1998, to July 1,
 46 2006, inclusive, one-quarter the number of children under the
 47 temporary family assistance program for the fiscal year ending June
 48 30, 1997, (C) for school years commencing July 1, 1995, to July 1, 2006,

49 inclusive, one-quarter of the mastery count for the school year, (D) for
50 school years commencing July 1, 1995, to July 1, 2006, inclusive, ten per
51 cent of the number of eligible children, as defined in subdivision (1) of
52 section 10-17e, for whom the board of education is not required to
53 provide a program pursuant to section 10-17f, (E) for the school year
54 commencing July 1, 2007, and each school year thereafter, fifteen per
55 cent of the number of eligible students, as defined in subdivision (1) of
56 section 10-17e, for whom the board of education is not required to
57 provide a program pursuant to section 10-17f, and (F) for the school
58 year commencing July 1, 2007, and each school year thereafter, thirty-
59 three per cent of the number of children below the level of poverty.

60 Sec. 3. Section 10-266aa of the general statutes is repealed and the
61 following is substituted in lieu thereof (*Effective July 1, 2009*):

62 (a) As used in this section:

63 (1) "Receiving district" means any school district that accepts
64 students under the program established pursuant to this section;

65 (2) "Sending district" means any school district that sends students it
66 would otherwise be legally responsible for educating to another school
67 district under the program; and

68 (3) "Minority students" means students who are "pupils of racial
69 minorities", as defined in section 10-226a.

70 (b) There is established, within available appropriations, an
71 interdistrict public school attendance program. The purpose of the
72 program shall be to: (1) Improve academic achievement; (2) reduce
73 racial, ethnic and economic isolation or preserve racial and ethnic
74 balance; and (3) provide a choice of educational programs for students
75 enrolled in the public schools. The Department of Education shall
76 provide oversight for the program, including the setting of reasonable
77 limits for the transportation of students participating in the program,
78 and may provide for the incremental expansion of the program for the

79 school year commencing in 2000 for each town required to participate
80 in the program pursuant to subsection (c) of this section.

81 (c) The program shall be phased in as provided in this subsection.
82 (1) For the school year commencing in 1998, and for each school year
83 thereafter, the program shall be in operation in the Hartford, New
84 Haven and Bridgeport regions. The Hartford program shall operate as
85 a continuation of the program described in section 10-266j. Students
86 who reside in Hartford, New Haven or Bridgeport may attend school
87 in another school district in the region and students who reside in such
88 other school districts may attend school in Hartford, New Haven or
89 Bridgeport, provided, beginning with the 2001-2002 school year, the
90 proportion of students who are not minority students to the total
91 number of students leaving Hartford, Bridgeport or New Haven to
92 participate in the program shall not be greater than the proportion of
93 students who were not minority students in the prior school year to
94 the total number of students enrolled in Hartford, Bridgeport or New
95 Haven in the prior school year. The regional educational service center
96 operating the program shall make program participation decisions in
97 accordance with the requirements of this subdivision. (2) For the
98 school year commencing in 2000, and for each school year thereafter,
99 the program shall be in operation in New London, provided beginning
100 with the 2001-2002 school year, the proportion of students who are not
101 minority students to the total number of students leaving New London
102 to participate in the program shall not be greater than the proportion
103 of students who were not minority students in the prior year to the
104 total number of students enrolled in New London in the prior school
105 year. The regional educational service center operating the program
106 shall make program participation decisions in accordance with this
107 subdivision. (3) The Department of Education may provide, within
108 available appropriations, grants for the fiscal year ending June 30,
109 2003, to the remaining regional educational service centers to assist
110 school districts in planning for a voluntary program of student
111 enrollment in every priority school district, pursuant to section 10-
112 266p, which is interested in participating in accordance with this

113 subdivision. For the school year commencing in 2003, and for each
114 school year thereafter, the voluntary enrollment program may be in
115 operation in every priority school district in the state. Students from
116 other school districts in the area of a priority school district, as
117 determined by the regional educational service center pursuant to
118 subsection (d) of this section, may attend school in the priority school
119 district, provided such students bring racial, ethnic and economic
120 diversity to the priority school district and do not increase the racial,
121 ethnic and economic isolation in the priority school district.

122 (d) School districts which received students from New London
123 under the program during the 2000-2001 school year shall allow such
124 students to attend school in the district until they graduate from high
125 school. The attendance of such students in such program shall not be
126 supported by grants pursuant to subsections (f) and (g) of this section
127 but shall be supported, in the same amounts as provided for in said
128 subsections, by interdistrict cooperative grants pursuant to section 10-
129 74d to the regional educational service centers operating such
130 programs.

131 (e) Once the program is in operation in the region served by a
132 regional educational service center pursuant to subsection (c) of this
133 section, the Department of Education shall provide an annual grant to
134 such regional educational service center to assist school districts in its
135 area in administering the program and to provide staff to assist
136 students participating in the program to make the transition to a new
137 school and to act as a liaison between the parents of such students and
138 the new school district. Each regional educational service center shall
139 determine which school districts in its area are located close enough to
140 a priority school district to make participation in the program feasible
141 in terms of student transportation pursuant to subsection (f) of this
142 section, provided any student participating in the program prior to
143 July 1, 1999, shall be allowed to continue to attend the same school
144 such student attended prior to said date in the receiving district until
145 the student completes the highest grade in such school. Each regional

146 educational service center shall convene, annually, a meeting of
147 representatives of such school districts in order for such school
148 districts to report, by March thirty-first, the number of spaces available
149 for the following school year for out-of-district students under the
150 program. Annually, each regional educational service center shall
151 provide a count of such spaces to the Department of Education by
152 April fifteenth. If there are more students who seek to attend school in
153 a receiving district than there are spaces available, the regional
154 educational service center shall assist the school district in determining
155 attendance by the use of a lottery or lotteries designed to preserve or
156 increase racial, ethnic and economic diversity, except that the regional
157 educational service center shall give preference to siblings and to
158 students who would otherwise attend a school that has lost its
159 accreditation by the New England Association of Schools and Colleges
160 or has been identified as in need of improvement pursuant to the No
161 Child Left Behind Act, P.L. 107-110. The admission policies shall be
162 consistent with section 10-15c and this section. No receiving district
163 shall recruit students under the program for athletic or extracurricular
164 purposes. Each receiving district shall allow out-of-district students it
165 accepts to attend school in the district until they graduate from high
166 school.

167 (f) The Department of Education shall provide grants to regional
168 educational service centers or local or regional boards of education for
169 the reasonable cost of transportation for students participating in the
170 program. For the fiscal year ending June 30, 2003, and each fiscal year
171 thereafter, the department shall provide such grants within available
172 appropriations, provided the state-wide average of such grants does
173 not exceed an amount equal to three thousand two hundred fifty
174 dollars for each student transported, except that the Commissioner of
175 Education may grant to regional educational service centers additional
176 sums from funds remaining in the appropriation for such
177 transportation services if needed to offset transportation costs that
178 exceed such maximum amount. The regional educational service
179 centers shall provide reasonable transportation services to high school

180 students who wish to participate in supervised extracurricular
181 activities. For purposes of this section, the number of students
182 transported shall be determined on September first of each fiscal year.

183 (g) [The] (1) For the fiscal year ending June 30, 2010, the Department
184 of Education shall provide, within available appropriations, an annual
185 grant to the local or regional board of education for each receiving
186 district in an amount not to exceed [two thousand five hundred
187 dollars] (A) three thousand dollars for each out-of-district student who
188 attends school in the receiving district under the program if such out-
189 of-district students are less than two per cent of the total student
190 population of such receiving district, (B) four thousand dollars for each
191 out-of-district student who attends school in the receiving district
192 under the program if such out-of-district students are greater than or
193 equal to two per cent but less than three per cent of the total student
194 population of such receiving district, and (C) six thousand dollars for
195 each out-of-district student who attends school in the receiving district
196 under the program if such out-of-district students are greater than or
197 equal to three per cent of the total student population of such receiving
198 district. Each town which receives funds pursuant to this subsection
199 shall make such funds available to its local or regional board of
200 education in supplement to any other local appropriation, other state
201 or federal grant or other revenue to which the local or regional board
202 of education is entitled.

203 (2) For the fiscal year ending June 30, 2011, the Department of
204 Education shall provide, within available appropriations, an annual
205 grant to the local or regional board of education for each receiving
206 district in an amount not to exceed (A) three thousand five hundred
207 dollars for each out-of-district student who attends school in the
208 receiving district under the program if such out-of-district students are
209 less than two per cent of the total student population of such receiving
210 district, (B) five thousand dollars for each out-of-district student who
211 attends school in the receiving district under the program if such out-
212 of-district students are greater than or equal to two per cent but less

213 than three per cent of the total student population of such receiving
214 district, and (C) seven thousand dollars for each out-of-district student
215 who attends school in the receiving district under the program if such
216 out-of-district students are greater than or equal to three per cent of the
217 total student population of such receiving district. Each town which
218 receives funds pursuant to this subsection shall make such funds
219 available to its local or regional board of education in supplement to
220 any other local appropriation, other state or federal grant or other
221 revenue to which the local or regional board of education is entitled.

222 (h) Notwithstanding any provision of this chapter, each sending
223 district and each receiving district shall divide the number of children
224 participating in the program who reside in such district or attend
225 school in such district by two for purposes of the counts for
226 subdivision (22) of section 10-262f and subdivision (2) of subsection (a)
227 of section 10-261.

228 (i) In the case of an out-of-district student who requires special
229 education and related services, the sending district shall pay the
230 receiving district an amount equal to the difference between the
231 reasonable cost of providing such special education and related
232 services to such student and the amount received by the receiving
233 district pursuant to subsection (g) of this section and in the case of
234 students participating pursuant to subsection (d) of this section, the
235 per pupil amount received pursuant to section 10-74d. The sending
236 district shall be eligible for reimbursement pursuant to section 10-76g.

237 (j) Nothing in this section shall prohibit school districts from
238 charging tuition to other school districts that do not have a high school
239 pursuant to section 10-33.

240 (k) On or before October fifteenth of each year, the Commissioner of
241 Education shall determine if the enrollment in the program pursuant
242 to subsection (c) of this section for the fiscal year is below the number
243 of students for which funds were appropriated. If the commissioner
244 determines that the enrollment is below such number, the additional

245 funds shall not lapse but shall be used by the commissioner in
246 accordance with this subsection. (1) Any amount up to five hundred
247 thousand dollars of such nonlapsing funds shall be used for
248 supplemental grants to receiving districts on a pro rata basis for each
249 out-of-district student in the program pursuant to subsection (c) of this
250 section who attends the same school in the receiving district as at least
251 nine other such out-of-district students, not to exceed one thousand
252 dollars per student. (2) Any remaining nonlapsing funds shall be used
253 for interdistrict cooperative grants pursuant to section 10-74d.

254 (l) For purposes of the state-wide mastery examinations under
255 section 10-14n, students participating in the program established
256 pursuant to this section shall be considered residents of the school
257 district in which they attend school.

258 (m) Within available appropriations, the commissioner may make
259 grants to regional education service centers which provide summer
260 school educational programs approved by the commissioner to
261 students participating in the program.

262 (n) The Commissioner of Education may provide grants for children
263 in the Hartford program described in this section to participate in
264 preschool and all day kindergarten programs. In addition to the
265 subsidy provided to the receiving district for educational services,
266 such grants may be used for the provision of before and after-school
267 care and remedial services for the preschool and kindergarten students
268 participating in the program.

269 (o) Within available appropriations, the commissioner may make
270 grants for academic student support for programs pursuant to this
271 section that assist the state in meeting the goals of the 2008 stipulation
272 and order for Milo Sheff, et al. v. William A. O'Neill, et al., as
273 determined by the commissioner.

274 Sec. 4. Subsection (c) of section 10-223e of the general statutes is
275 repealed and the following is substituted in lieu thereof (*Effective July*

276 1, 2009):

277 (c) (1) Any school or school district identified as in need of
278 improvement pursuant to subsection (a) of this section and requiring
279 corrective action pursuant to the requirements of the No Child Left
280 Behind Act, P.L. 107-110, shall be designated and listed as a low
281 achieving school or school district and shall be subject to intensified
282 supervision and direction by the State Board of Education.

283 (2) Notwithstanding any provision of this title or any regulation
284 adopted pursuant to said statutes, except as provided in subdivision
285 (3) of this subsection, in carrying out the provisions of subdivision (1)
286 of this subsection, the State Board of Education shall take any of the
287 following actions to improve student performance and remove the
288 school or district from the list of schools or districts designated and
289 listed as a low achieving school or district pursuant to said subdivision
290 (1), and to address other needs of the school or district: (A) Require an
291 operations audit to identify possible programmatic savings and an
292 instructional audit to identify any deficits in curriculum and
293 instruction or in the learning environment of the school or district; (B)
294 require the local or regional board of education for such school or
295 district to use state and federal funds for critical needs, as directed by
296 the State Board of Education; (C) provide incentives to attract highly
297 qualified teachers and principals; (D) direct the transfer and
298 assignment of teachers and principals; (E) require additional training
299 and technical assistance for parents and guardians of children
300 attending the school or a school in the district and for teachers,
301 principals, and central office staff members hired by the district; (F)
302 require the local or regional board of education for the school or
303 district to implement model curriculum, including, but not limited to,
304 recommended textbooks, materials and supplies approved by the
305 Department of Education; (G) identify schools for reconstitution, as
306 may be phased in by the commissioner, as state or local charter
307 schools, schools established pursuant to section 10-74g, or schools
308 based on other models for school improvement, or for management by

309 an entity other than the local or regional board of education for the
310 district in which the school is located; (H) direct the local or regional
311 board of education for the school or district to develop and implement
312 a plan addressing deficits in achievement and in the learning
313 environment as recommended in the instructional audit; (I) assign a
314 technical assistance team to the school or district to guide school or
315 district initiatives and report progress to the Commissioner of
316 Education; (J) establish instructional and learning environment
317 benchmarks for the school or district to meet as it progresses toward
318 removal from the list of low achieving schools or districts; (K) provide
319 funding to any proximate district to a district designated as a low
320 achieving school district so that students in a low achieving district
321 may attend public school in a neighboring district; (L) direct the
322 establishment of learning academies within schools that require
323 continuous monitoring of student performance by teacher groups; (M)
324 require local and regional boards of education to (i) undergo training
325 to improve their operational efficiency and effectiveness as leaders of
326 their districts' improvement plans, and (ii) submit an annual action
327 plan to the Commissioner of Education outlining how, when and in
328 what manner their effectiveness shall be monitored; or (N) any
329 combination of the actions described in this subdivision or similar,
330 closely related actions.

331 (3) If a directive of the State Board of Education pursuant to
332 subparagraph (C), (D), (E) or (L) of subdivision (2) of this subsection or
333 a directive to implement a plan pursuant to subparagraph (H) of said
334 subdivision affects working conditions, such directive shall be carried
335 out in accordance with the provisions of sections 10-153a to 10-153n,
336 inclusive.

337 (4) The Comptroller shall, pursuant to the provisions of section 10-
338 262i, withhold any grant funds that a town is otherwise required to
339 appropriate to a local or regional board of education due to low
340 academic achievement in the school district pursuant to section 10-
341 262h, provided for any fiscal year in which such town does not receive

342 an increase in funds pursuant to section 10-262h, the comptroller shall
343 withhold an amount equal to the amount withheld in the prior fiscal
344 year. Said funds shall be transferred to the Department of Education
345 and shall be expended by the department on behalf of the identified
346 school district. Said funds shall be used to implement the provisions of
347 subdivision (2) of this subsection and to offset such other local
348 education costs that the Commissioner of Education deems
349 appropriate to achieve school improvements. These funds shall be
350 awarded by the commissioner to the local or regional board of
351 education for such identified school district upon condition that said
352 funds shall be spent in accordance with the directives of the
353 commissioner.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>July 1, 2009</i>	10-264l(c)(3)
Sec. 2	<i>July 1, 2009</i>	10-262f(25)
Sec. 3	<i>July 1, 2009</i>	10-266aa
Sec. 4	<i>July 1, 2009</i>	10-223e(c)

Statement of Purpose:

To increase the percentage from fifty-five per cent to sixty per cent for purposes of state funding of magnet schools; to repeal the magnet school reduction from the definition of total need students in the ECS formula; to create a three-tiered grant program for receiving districts of students participating in the Open Choice Program; and to allow the Comptroller to withhold the same dollar amount in state funds to schools with low academic achievement.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]